

REMARKS

Applicants sincerely appreciate the allowance of claims 1-6 and claims 13-20. Applicants also sincerely appreciate the allowance of claims 10-12, provided the claims have been rewritten in independent form including all of the limitations of the base claims and intervening claims.

Claim 7 stands rejected under 35 USC § 102(b) as being anticipated by Apple U.S. Pat. 3,771,126 (hereinafter “Apple”) and by Brueckheimer et al U.S. Pat. 5,923, 680 (hereinafter “Brueckheimer”). The Final Office action further rejected claim 8 under 35 USC § 103(a) as being unpatentable over Apple, and rejected claims 8 and 9 under 35 USC § 103(a) as being unpatentable over Brueckheimer. Previously presented claims 10 through 12 are objected to as being dependent upon a rejected base claim.

Claim rejections under 35 USC § 102

Claim 7 stands rejected under 35 USC § 102(b) as being anticipated by Apple (US 3,771,126) and by Brueckheimer et al (US 5,923, 680). Applicants have cancelled claim 7 from further consideration in this application. Applicants are not conceding in this application that this claim is not patentable over the art cited by the Examiner, as the present claim cancellation is only for facilitating expeditious prosecution of the allowable subject matter noted by the examiner. Applicants respectfully reserve the right to pursue the claim in one or more continuations and/or divisional patent applications.

Claim rejections under 35 USC § 103(a)

The Final Office action rejected claim 8 under 35 USC § 103(a) as being unpatentable over Apple, and rejected claims 8 and 9 under 35 USC § 103(a) as being unpatentable over Brueckheimer. Applicant has canceled claims 8 and 9. Applicants have amended claims 11 and 12, as noted below, and cancelled claims 8 and 9 from further consideration in this application. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the examiner.

Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

Allowable Subject Matter

The Final Office action allowed claims 1-6 and 13-20. Claims 10-12 were objected to as being dependent upon a rejected base claim. Applicants have rewritten claim 10 in independent form to include all of the limitations of the base claim (claim 8) and intervening claim (claim 9). Accordingly, Applicants believe that the base claim (claim 10), as currently amended, will be allowable.

Claim 11 has been amended to correct two minor errors. The two minor corrections add no new matter. Furthermore, claim 11 is dependent upon claim 10 and includes all of its limitations so claim 11 should be allowed. Claim 12 has also been amended. The previous version of claim 12 depended upon, in the alternative, claims 9 and 10. The revised version of claim 12 now refers only to claim 10. Claim 12 includes all of the limitations of claim 10 so claim 12 should be allowed.

New Claims

Two new dependent claims, 21 and 22, have been appended to the claims. The new claims add no new matter and the elements for the claims can be found in the specification. For example, one embodiment of a method to detect uncorrectable errors in a data packet can be found in figure 5, more specifically elements 545 and 555, as described in the specification on page 16, lines 23 through 25, and in the preceding paragraphs.

The alternative form of claim 12, referring to claim 9 instead of claim 10, has been appended as claim 23. In other words, claim 23 represents the alternative form of claim 12, which referred to claim 9. Claim 23 includes the limitations of the former versions of claim 9 and claim 12. Therefore, claim 23 adds no new matter.

CONCLUSION

Applicants respectfully respond to the objections and cancel claims in regard to the claim rejections under 35 USC §§ 102 and 103. Accordingly, Applicants believe that this response constitutes a complete response to each of the issues raised in the Final Office action. Applicants cancelled the matter that was rejected as not being allowable and addressed the objections. In light of the amendments made herein and the accompanying remarks, Applicants believe that the pending claims are in condition for allowance. Thus, Applicant requests that the objections be withdrawn, pending claims be allowed, and application advance toward issuance. If the application is not in condition for allowance for any reason, please call the undersigned attorney at (512) 288-6635.

The Office is authorized to charge Deposit Account 50-0563 for fees related to the addition of 2 new dependent claims and 1 independent claim, totaling \$300.00.

No other fees are believed due with this paper. However, if any fee is determined to be required, the Office is authorized to charge Deposit Account 50-0563 for any such required fee.

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